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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,008

10/28/2003

Steve W. Rodgers

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06/02/2008

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EXAMINER

HOANG, DANIEL L

ART UNIT

PAPER NUMBER

2136

MAIL DATE

DELIVERY MODE

06/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/695,008

Applicant(s)

RODGERS ET AL.

Examiner

DANIEL L. HOANG

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

In view of the Appeal Brief filed on 3/14/08, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

CLAIM REJECTIONS

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rarick, US PGP No. 20050010527, and further in view of Evans et al., US PGP No. 20050015558 and further in view of Watanabe et al., US Patent No. 7284133.

As per claim 1:

Rarick teaches:

A system for protecting data, comprising:

a memory in which encrypted data is stored; and

[see fig. 11A, Register Unit]

[see paragraph 84, "encryption circuit stores array values in a register unit"]

a processor coupled to the memory, the processor comprising a decryptor that decrypts the encrypted data,

[see paragraph 13, "In addition to being used for encrypting information, the method and apparatus may also be used for decrypting information."]

the decryptor being adapted to:

variably bit roll the encrypted data,

[see paragraph 32, "swap" is viewed as analogous to the claimed "bit roll"]

to fixedly bit shuffle the bit-rolled data,

[see paragraph 33, "shift" is viewed as analogous to the claimed "bit shuffle"]

Rarick is mute in teaching that the decryptor is adapted to:

to add a first key to the bit-shuffled data and

For the above limitation, examiner relies upon the Evans reference. Evans teaches in paragraph 40 of a write mask memory system in which a key generator provides a key value is combined with a coded data block. The system taught by Evans is interpreted as being analogous to the adder that is claimed by applicant. One of ordinary skill in the art would be motivated to combine the invention taught by Rarick

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with the system taught by Evans in order to reduce latency as well as allow for the use of standard hardware design tools (as taught by Evans).

The combination of the Rarick and Evans references is still mute in teaching that the decryptor is adapted to process the added data with a second key. For this limitation, examiner relies on the Watanabe reference. Watanabe teaches an information processing unit that encrypts data that is being stored in a memory device or that is newly generated, and stores the encrypted data in the memory device (see col. 5, paragraph 1). In particular relevance to the above limitation, Watanabe teaches changing the key data periodically or randomly and processing the data with the newly changed key. It would be obvious to one of ordinary skill in the art to modify the Rarick and Evans inventions above in order to process data with a changed key so that the decrypted data can be protected against external attack, resulting in improved security (see col. 5, lines 15-18).

As per claim 2, Rarick teaches:

The system according to claim 1, wherein the decryptor is adapted to perform a single pipeline stage decryption.

[see paragraph 78]

As per claim 3, Rarick teaches:

The system according to claim 1, wherein the decryptor comprises a bit roller that rotates data in one or more roll regions of the incoming data based on an address related to the received encrypted data and a key related to the first key.

[see paragraph 35, table 3]

As per claim 4, Rarick teaches:

The system according to claim 3, wherein the key comprises a shifted version of the first key.

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[see paragraph 32]

As per claim 5, Rarick teaches:

The system according to claim 3, wherein the bit roller comprises a plurality of multiplexers.

[see paragraph 11]

As per claim 6, Rarick teaches:

The system according to claim 5, wherein each multiplexer comprises a multiplexer selection input, wherein multiplexer selection bits are input at the multiplexer selection input, and wherein the multiplexer selection bits are generated based on the address related to the received encrypted data and the key related to the first key.

[see paragraph 11]

As per claim 7, Rarick teaches:

The system according to claim 1, wherein the decryptor comprises a fixed bit shuffler.

[see paragraph 43]

As per claim 8, Rarick teaches:

The system according to claim 7, wherein the fixed bit shuffler comprises a fixed, hard-coded bit shuffler.

[see paragraph 44]

As per claim 9, Rarick teaches:

The system according to claim 7, wherein the fixed bit shuffler does not add a gate delay to the decryptor.

[see paragraph 55]

As per claim 10, Evans teaches:

The system according to claim 1, wherein the decryptor comprises one or more two-bit adders.

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[see paragraph 40]

As per claim 11, Rarick teaches:

The system according to claim 10, wherein each two-bit adder comprises three exclusive OR (XOR) gates and an AND gate.

[see paragraph 40]

As per claim 12, Rarick teaches:

The system according to claim 1, wherein the decryptor comprises an XOR block.

[see paragraph 40]

As per claim 13, Rarick teaches:

The system according to claim 12, wherein the XOR block comprises one or more XOR gates.

[see paragraph 69]

As per claim 14, Rarick teaches:

The system according to claim 13, wherein each XOR gate comprises a first input and a second input, the first input receiving a bit of the second key, the second input receiving a bit of the added data.

[see paragraph 69]

As per claim 15, Rarick teaches:

The system according to claim 1, wherein the first key is a shifted version of a key.

[see rejection of claim 3]

As per claim 16, Rarick teaches:

The system according to claim 15, wherein an amount of shift in the first key is based on an address related to the received encrypted data.

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[see paragraph 36]

As per claim 17, Rarick teaches:

The system according to claim 15, wherein the first key is generated substantially in parallel with the decrypting of the encrypted data.

[see paragraph 30]

As per claim 18:

The system according to claim 1, wherein the decryptor does not add a latency to a processor pipeline.

[see rejection of claim 1]

As per claim 19:

The system according to claim 1, wherein the decryptor does not add enough gate delays to exceed a clock cycle budget of the processor.

[see rejection of claim 1]

As per claim 20, Rarick teaches:

The system according to claim 1, wherein the decryptor decrypts a word of the encrypted data in a single cycle.

[see paragraph 90, table 13]

As per claim 21, Rarick teaches:

The system according to claim 1, wherein the word comprises a 64-bit word.

[see paragraph 5]

As per claim 22, Rarick teaches:

The system according to claim 1, wherein the decryptor is adapted to receive encrypted data from the memory.

[see rejection of claim 1]

As per claim 23, Rarick teaches:

A system for protecting data, comprising: a memory in which encrypted data is stored; and a processor coupled to the memory, the processor comprising a decryptor that decrypts the encrypted data without adding a latency to a processor pipeline.

[see rejections of claim 1 and 18]

As per claim 24, Rarick teaches:

A system for protecting data, comprising: a memory in which encrypted data is stored; and a processor coupled to the memory, the processor comprising a decryptor that decrypts the encrypted data without adding enough gate delays to exceed a clock cycle budget of the processor.

[see rejections of claim 1 and 19]

As per claim 25, Rarick teaches:

A system for protecting data, comprising: a memory in which encrypted data is stored; and a processor coupled to the memory, the processor comprising a decryptor that decrypts the encrypted data and decrypts a word of the encrypted data in a single cycle.

[see rejections of claims 1 and 20]

As per claim 26, Rarick teaches:

A system for securing data, comprising: a processor that decrypts encrypted data, the processor being adapted to variably bit roll encrypted data and to fixedly bit shuffle the bit-rolled data.

[see rejection of claim 1]

As per claim 27, Rarick teaches:

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The system according to claim 26, wherein the processor is adapted to perform a single pipeline stage decryption.

[see rejections of claim 26 and 2]

As per claim 28, Rarick teaches:

A system according to claim 26, wherein the processor is adapted to add a first key to the bit-shuffled data and to process the added data with a second key.

[see rejection of claim 1]

As per claim 29, Rarick teaches:

The system according to claim 26, wherein the processor is adapted to decrypt the encrypted data without adding a latency to a processor pipeline.

[see rejection of claim 18]

As per claim 30, Rarick teaches:

A method for securing processor instructions, comprising: variably rolling data information based on a first key and an address related to the data information; and hard-coded shuffling of the rolled data information; using one or more keys to process the data information.

[see rejections of claims 1, 3, and 8]

As per claim 31, Rarick teaches:

The method according to claim 30, wherein the rolling, the shuffling and the using are part of a single pipeline stage decryption.

[see rejection of claim 2]

As per claim 32, Rarick teaches:

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The method according to claim 30, wherein using one or more keys to process the data information comprises adding the hard-coded data information and a shifted version of the first key.

[see rejections of claim 4 and 8]

As per claim 33, Rarick teaches:

The method according to claim 32, wherein using one or more keys to process the data information comprises processing the added data information with a second key using exclusive OR (XOR) gates.

[see rejection of claim 11]

As per claim 34, Rarick teaches:

The method according to claim 33, wherein the first key is unrelated to the second key.

[see rejection of claim 3]

As per claim 35, Rarick teaches:

The method according to claim 30, wherein the data information comprises encrypted data information.

[see rejection of claim 1]

As per claim 36, Rarick teaches:

The method according to claim 30, wherein the encrypted data information is stored in a memory, and wherein the stored data information is accessed by a processor.

[see rejection of claim 1]

As per claim 37, Rarick teaches:

The method according to claim 30, wherein the rolling comprises rotating bits within one or more rolling regions of the data information.

[see rejection of claim 3]

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POINTS OF CONTACT

- *. Any response to this Office Action should be **faxed to** (571) 273-8300 or **mailed to**:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulaney Street
Alexandria, VA 22314

- *. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Hoang whose telephone number is 571-270-1019. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Daniel L. Hoang/

Examiner, Art Unit 2136

/Nasser G Moazzami/

Supervisory Patent Examiner, Art Unit 2136